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If the complaint being filed includes exhibits or attachments, it must be filed as one PDF image and contain bookmarks to identify each document. The local form "Adversary Cover Sheet" must be appended to the complaint's PDF image as an attachment - refer to Chapter I, Section 7, "Attachments to Documents" for instructions on how to file attachments.

The <u>Summons and Notice of Pretrial</u>, as well as the <u>Order Setting Filing and Disclosure Requirements</u>, will no longer be local forms submitted by the plaintiff. Instead, the clerk will electronically generate and docket these items upon receipt of the complaint, and serve them on the plaintiff. The plaintiff is required to then serve these documents, together with a copy of the complaint, upon all defendants. The electronic summons generated by the clerk is deemed a valid summons signed, sealed, and issued by the clerk. After service upon each party, the plaintiff must electronically file a Certificate of Service with the clerk [new local form Certificate of Service (LF-40A)].

Trial exhibits will continue to be filed and maintained conventionally (Local Rule 9070-1). They must be pre-marked and bound in a notebook or folder with tabs marking each item, and must be accompanied by an Exhibit Register which substantially conforms to Local Form 49. Any additional statements to the trial exhibits shall be signed under penalty of perjury by the declarant. If requested by the judge, proposed findings of facts and conclusions of law may be submitted to a judge's chambers in a word processing format.

- ✓ <u>Do not include copies of documents already filed with the court</u>. Instead, reference only the document number.
- ✓ A complete list of filing requirements is contained in the Clerk's Filing Instructions (Local Form CI-1) at www.flsb.uscourts.gov.

ENTER THE FOLLOWING FOR EACH NEW E-FILED ADVERSARY PROCEEDING.

I. Complaint package as one PDF image with bookmarks.

[Reminder: The Adversary Cover Sheet is a separate form filed as an attachment to the complaint; reference STEP 13, second bullet.)

- II. Corporate Ownership Statement, if applicable pursuant to Local Rule 7003-1(A)(2)
- III. Affidavit to Defer Filing Fee, if applicable a trustee may file an affidavit as separate document or include a clearly defined statement at the beginning of page 1 of the complaint

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- I. File Complaint (and related documents)
- Step 1 Select **Adversary** from the main menu.
- Step 2 The **Adversary Events** screen will display. Click **Open AP Case**.
 - ♦ Case Type, accept the default "ap." Tab through the next fields.
 - ♦ **Date Filed**, will default to the current date.
 - ♦ Complaint, accept the default of "y." If filing a document other than a complaint, such as a "Notice of Removal", select "n." Click Next.
- STEP 3 The **Open Adversary** screen will display.
 - Lead case number Enter the corresponding bankruptcy case number.
 - ◆ Association type Generally, you will accept the default of Adversary. If your complaint is to object to discharge or dischargeability of debt(s), use the drop down list to select either 523 Complaint or 727 Complaint. Click Next.



(For this example, the **727 Complaint** is selected to object to discharge.)

STEP 4 The next screen will confirm divisional venue, judge assignment, and the lead case number. If incorrect, use the browser's back button to return to the prior screen and make any corrections. Click **Next**.

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- STEP 5 The **Search for a party** screen will display. Each party's name <u>must</u> be searched to determine if they already appear in the database. Enter the <u>plaintiff</u> first.
 - ♦ Search by entering the last name of party or company's name.

(**NOTE** - All parties are matched to the same database, including debtors, joint debtors, plaintiffs, defendants, and aka's of party names (aka's will appear without an address; individual debtors will appear with a redacted social security number).

Helpful Search Hints:

- ♦ Name searches are NOT case sensitive, and wild cards like " * " are NOT used.
- ♦ Include correct punctuation; e.g., "O'Brien", "Fisher & Smith Corp." or "555-66-7777."
- ♦ Partial name entries will yield a greater match probability; e.g., "McD" would include the names "McDonald" and "McDaniels," and businesses such as "McDewey Contractors, Inc." "Mc Davis" will not appear due to the space between the "c" and the "D."
- Try alternative search clues if your first search was not successful.

For example, when "Smith" is searched in the example below, the following selections might appear in Party Search Results. <u>Click on the closest matching name and a pop-up screen will appear</u>. <u>Repeat as needed for other possible matches OR use other search criteria such as a social security number.</u>

NOTE - You may have to click on more than one potential match.

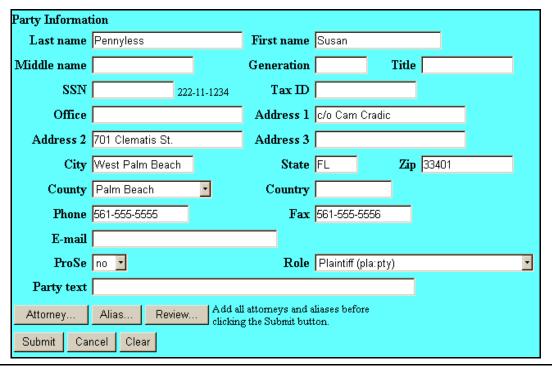
- If information in the pop-up screen matches the desired party, click Select name from list.
- If no matching information appears, click **Create new party**.

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For our sample, searching the name of our plaintiff, "Pennyless" yielded only the debtor, Mary Pennyless. Since our sample 727 Complaint is being filed by the relative "Susan Pennyless" who does not appear in the court's database, she must be added. Click **Create new Party**.



STEP 6 The **Party Information** screen will display. Enter the plaintiff information using the address of the attorney as the plaintiff's address.



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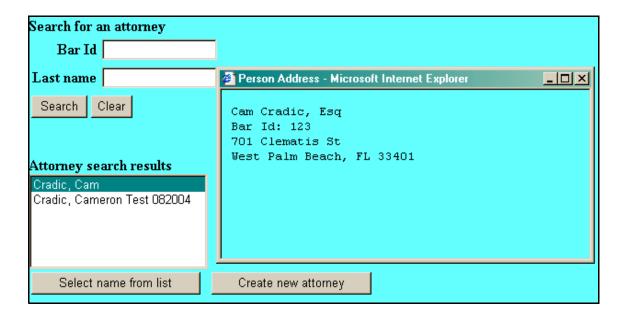
Some key Style Guide Standards are listed below to illustrate data entry standards:

- Enter name fields as they appear on the complaint. Do not abbreviate unless the name appears on the complaint this way. For example, "ABC Corporation" should not be entered as "ABC Corp." unless the complaint uses the abbreviated name. Use correct punctuation.
- Enter Generation as applicable; e.g., Jr., Sr., III, etc.
- Enter Title as applicable; e.g., MD, PhD, etc. <u>Do not</u> use Mr., Mrs., Ms. or Miss.
- The Office field may be used to indicate the office name of a business (this field is used infrequently).
- Three (3) address lines are available and must match the party's address.
- The County is the county of the party's street address.
- There is no need to enter the country unless the country of the party's residence is not the United States.
- The **ProSe status** of the party defaults to "**n**" which means the party is represented by an attorney. If the plaintiff is not represented by an attorney, change this field to "**v**."
- CRITICAL ISSUE: The Role type defaults to "blank" and <u>must</u> be changed to "plaintiff" or "defendant."
- The Party Text field may be used to add additional descriptive nature to a business party name. For example, the plaintiff's name may appear as "Hotel Credit Insurers" and the Party Text field may be, "a division of United Insurance Corporation".
- When completed, click **Attorney** to associate an attorney with the plaintiff and proceed to STEP 7. If the plaintiff is pro se or the party is the defendant, click **Submit** to proceed without adding an attorney.

In our sample, the plaintiff is represented by an attorney. Click **Attorney** to proceed.

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STEP 7 The **Search for an attorney** screen will display. Steps are the same as searching for a party. In the example below, the attorney is already in the court's database with the same address entered in STEP 6.



Click **Select name from list.** The following attorney screen will display.

Attorney Information (Party Pennyless, Susan)			
Cam Cradio	Cam Cradic Esq Bar Id:123 Bar Status: Active		
Office		Address 1	701 Clematis St
Address 2		Address 3	
City	West Palm Beach	State	FL
Zip	33401	Country	
Phone		Fax	
E-mail cameron_cradic@flsb.uscourts Lead attorney yes			
Add attorney Cancel attorney Clear Click the Add attorney or Cancel attorney button to return to the Party screen and add other attorneys, add aliases, or submit all information for this party.			

Click Add Attorney.

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HELPFUL HINT - The party which this attorney represents will be identified at the top of the screen as "(Party Pennyless, Susan)."

STEP 8 After adding the attorney, you will return to the Party Information Screen.

Click **Review** in the Party Information screen to verify the association between the plaintiff and their attorney, if applicable. In the example below, the party information is correct.



Click **Return to Party screen** when finished viewing. Doing so will return the user to the Party Information screen.

STEP 9 At the **Party Information Screen**, the plaintiff's information is now completed. Click **Submit**.

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STEP 10 Another **Search for a party** screen will appear.

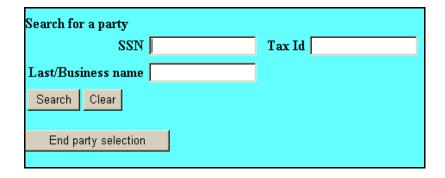
Return to STEP 5 and repeat until <u>each</u> plaintiff and defendant is added to the database.

Regarding defendants:

Do not add an address for the defendant. It is added when the defendant files an answer (or other responsive pleading). If the party is already in the database, accept them if the address is correct.

HELPFUL HINT - A defendant debtor is always in the database.

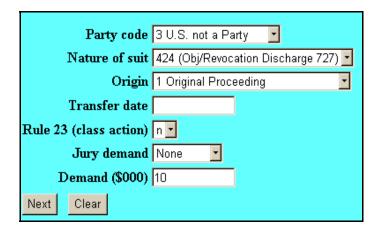
- ♦ Do not add an attorney for the defendant even if the defendant is represented by counsel in the lead case.
- ♦ The **ProSe status** of the party defaults to "n" which means the party is represented by an attorney. For defendants, this must be changed to "y." This may change when an answer is filed.
- ♦ REMINDER OF CRITICAL ISSUE: The Role type defaults to "blank" and <u>must</u> be changed to "plaintiff" or "defendant" for each party.



When all parties are added to the case, click **End party selection**.

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- STEP 11 The following prompt will display. "Is the complaint being filed by the trustee?"
 - Answer by selecting Yes or No from the drop down list.
 - If clicking on **Yes**, and then **Next**, another screen will ask, "Is the filing fee accompanying the complaint or is it being deferred?". If clicking on **Deferred**, and then **Next**, the system will display a reminder for the trustee to also docket an Affidavit to Defer Filing Fee immediately after filing the complaint.
 - If selecting the default of **No**, and then **Next**, another screen will ask, "Is the complaint being filed by the US Government, US Trustee, or is the debtor otherwise exempt from paying the filing fee (as applicable)?" Click **Yes** or **No** to answer the question, then click **Next** to continue.
- STEP 12 The **Statistical Data** information screen will display. <u>All data must match the adversary cover sheet</u>. Use the drop down lists to highlight and identify your selections. **Nature of suit** will already be selected for our sample.



- Party code Indicate whether the United States is a plaintiff, defendant, or not a party to the action.
- Nature of suit Only one selection may be made. If more than one nature is identified on the Adversary Cover Sheet and Complaint, and one of those selections is an Objection to Discharge, select only "424 (Obj/Revocation of Discharge (727))."
- Origin Indicate the origin of the proceeding.

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- **Transfer Date** Accept the blank default unless the answer to Origin was "Transferred." Otherwise, enter a transfer date.
- ♠ Rule 23 Accept the default of "n" unless the complaint is a class action suit.
- ◆ Jury demand Accept the default of "None" unless a jury trial is requested.
- Demand (\$000) Enter the amount to the nearest thousand dollars; e.g., \$10,000 will be entered as "10". If there is no amount demanded in the complaint, accept the blank default.

Click Next.

STEP 13 The **PDF Document Selection** screen will display.

 Click Browse to navigate to the directory where the appropriate PDF file is located.

Verify that you have selected the correct document by right clicking on the highlighted filename and select **Open** to view the image. Once verified, double-click the PDF file or click **Open** to select and associate it with the docket entry.

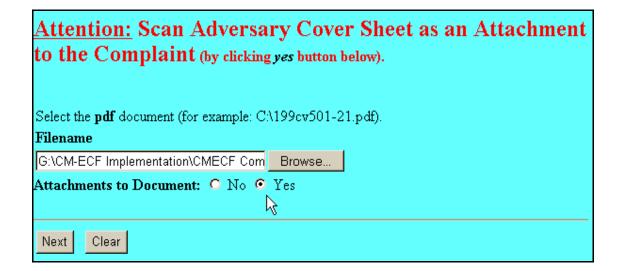
♦ The **Attachments to Document** option defaults to **No.**

CRITICAL ISSUE: Change the default to "Yes".

This is how the Adversary Cover Sheet is appended to the complaint. Refer to Chapter I, Section 7, "Attachments to Documents" for instructions on how to file attachments. Click **Next**.

NOTE: If your PDF document exceeds 3.0 mega bytes or 50 pages it must be broken down into smaller files. Refer to Chapter I, Section 7 "Attachments to Documents" for instructions on how to file attachments.

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REMINDER OF CRITICAL ISSUE - The image MUST be viewed <u>before</u> attaching it to ensure that it is the correct document. Failure to attach the correct pdf document may result in the complaint being dismissed.

Click Next.

STEP 14 The **Select one or more attachments** screen will display. This screen will allow the user to append the Adversary Cover Sheet to the complaint as an attachment.

There are THREE steps to adding attachments.

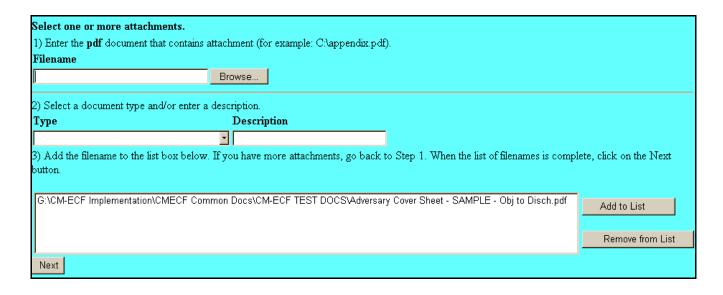
- ♦ At 1), click **Browse** to locate, view and upload the Adversary Cover Sheet PDF image. A **Filename** must appear in the text box to continue.
- ♦ At 2), highlight and select from the drop down list the Adversary Cover Sheet description (no entry in Description is needed if selected).
- At 3), Click Add to List. The <u>filename from "1)" will drop down to "3)" to confirm that the image is properly uploaded.</u>

NOTE - If the complaint was a large file and was broken down into multiple images, repeat STEP 14 as needed (reference the Attachments procedures for instructions on naming the multiple images).

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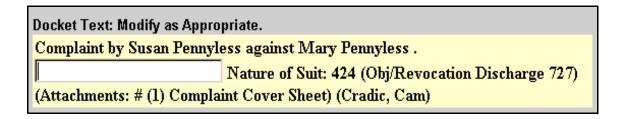
◆ To delete any improperly uploaded image, highlight the item and click Remove from list.

Click Next.



Filenames appear in "3)", and our sample is clearly titled as an Adversary Cover Sheet on a complaint objecting to discharge.

- STEP 15 The **Fee verification** screen will display. Click **Next.**
- STEP 16 The **Docket Text: Modify as Appropriate** screen will display. No additional entry is required.



Use the browser's back button to return to prior screens if any correction is needed. Note that PDF image filenames are NOT saved when navigating with internet browser buttons. Click **Next**.

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STEP 17 The **Docket Text: Final Text** screen will display. **This is the screen which commits the transaction.** Click **Next**.

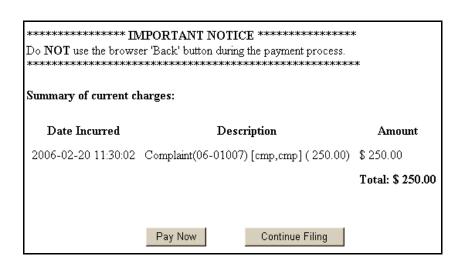
Docket Text: Final Text

Complaint by Susan Pennyless against Mary Pennyless. Nature of Suit: 424 (Obj/Revocation Discharge 727) (Attachments: # (1) Complaint Cover Sheet) (Cradic, Cam)

To abort this transaction, click **Adversary** in the main menu bar to return to STEP 1.

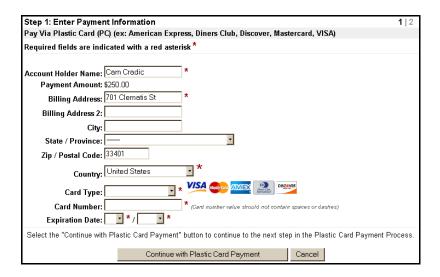
CRITICAL ISSUE - After clicking Next, <u>DO NOT</u> use the browser's back button to navigate through the system. Doing so may result in an additional case number assignment and filing fee.

- STEP 18 The **Summary of current charges** screen will display. Select **Pay Now** to complete this transaction OR select **Continue Filing** to file additional documents. If selecting **Continue Filing**, you will be reminded to pay all fees after each transaction. Any additional fee transactions will be added.
 - The example below demonstrates how fees will be paid for filing a new case. Click **Pay Now**.



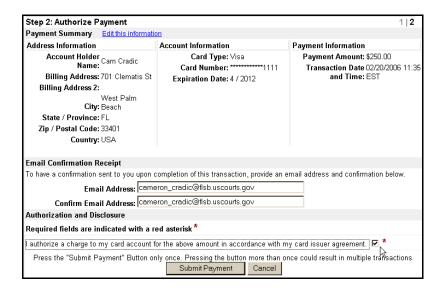
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◆ The Step 1: Enter Payment Information screen will display. Enter the text fields as needed. Items with a red " * " are required, but the user should also complete the City and State fields.



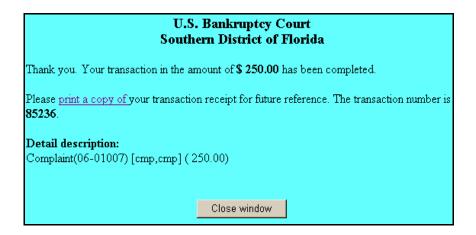
Click Continue with Plastic Card Payment.

◆ The Payment Summary and Authorization screen will display. Enter a check mark in the Authorization box. If a Confirmation Receipt is requested enter a valid email address (recommended). Click Submit Payment, or click Cancel to modify any previously entered information.



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♦ The **Payment Confirmation** screen will display. If desired, print a copy of the transaction receipt by clicking on the hyperlink located within the pop-up message. When finished, click **Close Window**.



CRITICAL ISSUE - Registered users must pay *ALL* filing fees prior to 3 a.m. the day following the transaction(s). Failure to pay will result in a suspension of the registered user's CM/ECF account except to pay all outstanding fees. When all fees have been paid the account will automatically revert back to an active status.

If a registered user has been "locked out" of ECF due to failure to pay fees and the account is later reactivated, the user must reset the system by logging out and then logging back in again. Doing so will allow the user to continue filing.

- STEP 19 **Notice of Electronic Filing (frequently referred to as the NEF)** This is the verification that the case has been filed electronically.
 - ♦ The NEF will be served upon all case participants authorized to receive electronic service. This notice may be printed and/or saved using the browser's menu bar options.
 - ◆ To view the court docket and/or notice, click on the case/docket number hypertext link and the system will prompt the user for a PACER login.

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IMPORTANT INFORMATION:

Deficient Complaints - If any of the required documents or fees are missing or were filed incomplete, the clerk's office will issue a notice advising of the deadline to cure the deficiency. The attorney will receive this notice by electronic service and the plaintiff will receive it in paper through the mail. The deficiency <u>must</u> be cured by the established deadline or the adversary proceeding will be dismissed without further order of the court.

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II. Corporate Ownership Statement, if applicable pursuant to Local Rule 7003-1(A)(2)

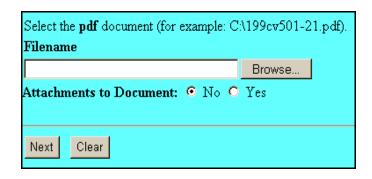
Corporate plaintiffs in adversary proceedings must utilize the local form Adversary Cover Sheet to indicate whether there are any entities to report pursuant to Bankruptcy Rule 7007.1. If the cover sheet reflects that there are none, no further statement need be filed. If there are entities to report, the original statement must be filed with the adversary complaint.

- STEP 1 Select **Adversary** from the main menu.
- STEP 2 The **Adversary Events** screen will display. Click **Other**.
- STEP 3 The **Case Number** screen will display.

Enter the complete case number. This field will default to the last case number entered by the registered user. Examples of the case number format are provided by the system. Click **Next**.

- STEP 4 The **Miscellaneous** screen will display. Select **Corporate Ownership Statement**. Use the drop down list to highlight the selection, or click on the "c" key repeatedly until the selection appears. Click **Next**.
- STEP 5 The **Select Party** screen will display. Select the plaintiff filing this document. Click **Next**.
- STEP 6 The **PDF Document Selection** screen will display.
 - Click Browse to navigate to the directory where the appropriate PDF file is located. Verify you have selected the correct document by right clicking on the highlighted filename and select Open to view the image. Once verified, double-click the PDF file or click Open to select and associate it with the docket entry.
 - ♦ The Attachments to Document option defaults to No. Click Next.

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CRITICAL ISSUE - The image MUST be viewed <u>before</u> attaching it to ensure that it is the correct document.

- STEP 7 Click **Next** at the following confirmation screen.
- STEP 8 The **Docket Text: Final Text** screen will display. **This is the screen which commits the transaction.** Click **Next**.

Docket Text: Final Text
Corporate Ownership Statement Filed by Plaintiff XYZ Corp.. (Cradic, Cam)

- STEP 9 **Notice of Electronic Filing (frequently referred to as the NEF)** This is the verification that the document has been filed electronically.
 - ♦ The NEF will be served upon all case participants authorized to receive electronic service.
 - ◆ To view the court docket and/or notice, click on the case/docket number hypertext link and the system will prompt the user for a PACER login.

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III. Affidavit to Defer Filing Fee, if applicable

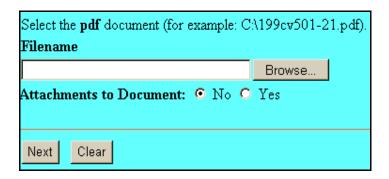
If a trustee is filing a separate Affidavit to Defer Filing Fees, it must be filed immediately after filing the adversary complaint.

- STEP 1 Select **Adversary** from the main menu.
- STEP 2 The **Adversary Events** screen will display. Click **Other**.
- STEP 3 The **Case number** screen will display.

Enter the **adversary case number**. This field will default to the last number entered by the registered user. Click **Next**.

- STEP 4 The **Miscellaneous** screen will display. Use the drop down list to highlight **Affidavit to Defer Filing Fee (Complaint) [Trustee]** or click on "a" repeatedly until the selection appears.
 - ♦ <u>Do not</u> use the general "Affidavit" code. Click **Next**.
- STEP 5 The **Select the Party** screen will display. Select the party filer, which is the plaintiff trustee.
 - ♦ If the attorney filing this affidavit on behalf of the trustee was not entered when the complaint was opened, a check box will appear to establish an association between the trustee and the attorney. Leave the check box blank if an association is not desired.
- STEP 6 The **PDF Document Selection** screen will display.
 - ◆ Click Browse to navigate to the directory where the appropriate PDF file is located. Verify you have selected the correct document by right clicking on the highlighted filename and select Open to view the image. Once verified, double-click the PDF file or click Open to select and associate it with the docket entry.
 - ♦ The Attachments to Document option defaults to No. Click Next.

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CRITICAL ISSUE - The image must be viewed <u>before</u> attaching it to ensure that it is the correct document.

- STEP 7 **Verify the identity of the case** screen will display. Click **Next.**
- STEP 8 The **Docket Text Final Text** screen will display. This is the screen that commits this transaction. Click **Next**.

Docket Text: Final Text
Trustee's Affidavit to Defer Complaint Filing Fee. Filed by Plaintiff John Anyname. (Cradic, Cam)

- STEP 9 **Notice of Electronic Filing (frequently referred to as the NEF)** This is the verification that the document has been filed electronically.
 - ♦ The NEF will be served upon all case participants authorized to receive electronic service.
 - To view the court docket and/or notice, click on the case/docket number hypertext link and the system will prompt the user for a PACER login.